



**KATIE HOBBS**  
SECRETARY OF STATE  
*State of Arizona*

In January 2019, I swore an oath to defend the Constitution and laws of the United States and Arizona, and to faithfully and impartially discharge the duties of the Secretary of State. At the time, I didn't fully know the level of disrepair that I would encounter within the Office. The prior administration had used a procurement exemption to enter into an unfavorable contract with a private contractor, and was months behind in paying the bills. Based on the contract's structure, it was cheaper to maintain than to break it.<sup>1</sup> Salary disparities ran rampant throughout the Office, causing discord among staff.<sup>2</sup> New statutory requirements, supported years earlier by the prior administration, had never been implemented.<sup>3</sup> And a transition to a new statewide voter registration database was significantly behind schedule as we approached a major presidential election year.

Unfortunately, issues within the Office have not been the only barriers to the fulfillment of my oath. At every step of the way, members of the legislature have sought to undermine my Office. While these attempts are aimed at me and my administration, the true victims are the people of Arizona. For example, legislators have sought to remove voter assistance hotlines from my Office,<sup>4</sup> attempted to provide themselves the power to override my certification of election results,<sup>5</sup> blocked my use of Help America Vote Act funding to educate voters,<sup>6</sup> delayed approval of crucial expenditures to maintain our state's voter registration database,<sup>7</sup> failed to fund budget requests to improve cybersecurity,<sup>8</sup> banned my

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<sup>1</sup> Oxford, A. (2019, December 13). *Canceling expensive contract for storing state records would cost \$2 million*. azcentral.com. <https://www.azcentral.com/story/news/politics/arizona/2019/12/12/arizona-secretary-state-iron-mountain-contract-cost-2-million/4389857002/>.

<sup>2</sup> Philip, A. (2019, July 17). *Republic salary database prompts officials to address concerns of 'woefully underpaid'*. azcentral.com. <https://www.azcentral.com/story/news/local/arizona-investigations/2019/07/15/arizona-state-employee-salaries-secretary-of-state-katie-hobbs-pay-inequities/1709684001/>.

<sup>3</sup> Arizona Secretary of State's Office. (2020, May 4) *E-equal system now available for candidates running for municipal, county, and precinct committee offices*. ("When Hobbs came into office in 2019, no substantive work had been done on the project.") <https://azsos.gov/about-office/media-center/press-releases/1175>.

<sup>4</sup> MacDonald-Evoy, J. (2020, February 26). *House Republicans Pass 'voter Fraud Hotline' Measure*. Arizona Mirror. <https://www.azmirror.com/2020/02/26/house-republicans-pass-voter-fraud-hotline-measure/>.

<sup>5</sup> Fischer, H. (2021, February 13). *Proposed law would allow Arizona legislature to overturn presidential election results*. Arizona Daily Star. [https://tucson.com/news/state-and-regional/proposed-law-would-allow-arizona-legislature-to-overturn-presidential-election-results/article\\_c2a70681-59c0-512f-ba86-2bf23128f9ee.html](https://tucson.com/news/state-and-regional/proposed-law-would-allow-arizona-legislature-to-overturn-presidential-election-results/article_c2a70681-59c0-512f-ba86-2bf23128f9ee.html).

<sup>6</sup> Shumway, J. (2020, June 29). *GOP lawmakers bypass Democrat Hobbs to disburse elections money*. Arizona Capitol Times. <https://azcapitoltimes.com/news/2020/06/25/gop-lawmakers-bypass-democrat-hobbs-to-disburse-elections-money/>.

<sup>7</sup> Joint Legislative Budget Committee. *July 2021 JLBC Meeting Summary*. ("The Committee tabled the request until the next Committee meeting.") <https://www.azleg.gov/jlbc/jlbcsumm071521.pdf>

<sup>8</sup> Hobbs, K. (2019, September 1). *FY21 Budget Request*. [https://azsos.gov/sites/default/files/sos\\_FY21\\_Budget\\_Request.pdf](https://azsos.gov/sites/default/files/sos_FY21_Budget_Request.pdf).





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Office from receiving grant funds,<sup>9</sup> fired my attorneys and provided no funding to hire new ones while also prohibiting my Office from paying for outside counsel,<sup>10</sup> and launched audits of election results and operations within my Office.<sup>11</sup> This list is, sadly, not exhaustive.

Nevertheless, we've succeeded in putting the Office back together—for the people of Arizona and for the people we employ. Early in my tenure, I ordered a department-wide salary review. This review confirmed the disparities that had been previously reported. Without an operating budget increase from the legislature, we've been able to streamline our operations and provide meaningful raises for employees. We've implemented a \$15 minimum wage for all full-time employees. In total, over eighty percent of staff saw some type of salary action, with employees of color seeing an average raise of more than four-thousand dollars a year.

We've saved money wherever possible to offset bad contracts, including offloading rent from unused buildings. We've caught up on unpaid bills by increasing revenue without touching general fund dollars. We successfully transitioned to a new statewide voter registration database before 2020, bringing a years-long project plagued by delays to a close.<sup>12</sup> We began implementing statutory requirements that long-preceded our tenure.<sup>13</sup> When the legislature blocked our use of federal funds, we found philanthropic grants to make sure Arizona voters had the information they needed to exercise their right to vote in the midst of an unprecedented pandemic.<sup>14</sup> And as other statewide officials failed to step up, we always found a way to defend Arizona's voters and elections.<sup>15</sup>

But the truth is, there's no amount of belt-tightening nor any sufficient number of clever,

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<sup>9</sup> Cooper, J. J. (2021, April 10). Arizona governor signs bill banning private election grants. Associated Press. <https://apnews.com/article/legislature-arizona-phoenix-legislation-elections-7f0b8661f5d7b673a3927bf7b4995586>.

<sup>10</sup> Duda, J. (2021, May 27). GOP lawmakers take aim at Hobbs in 'Power grab' after bar complaint against AG. Arizona Mirror. <https://www.azmirror.com/2021/05/25/gop-lawmakers-take-aim-at-hobbs-in-power-grab-after-bar-complaint-against-ag/>.

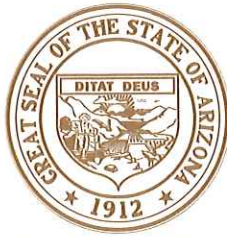
<sup>11</sup> See SB 1819 (budget procedures; budget reconciliation; 2021-2022) <https://www.azleg.gov/legtext/55leg/1R/laws/0405.pdf>.

<sup>12</sup> Arizona Secretary of State's Office. *Secretary of State's Office successfully completes transition to Arizona Voter Information Database*. (2019, December 2). <https://azsos.gov/about-office/media-center/press-releases/1064>.

<sup>13</sup> See Arizona Secretary of State's Office, *supra* note 3.

<sup>14</sup> Giles, B. (2021, March 11). Private donations helped pay for 2020 elections. Arizona Republicans say no more. NPR. <https://www.npr.org/2021/03/11/975746051/private-donations-helped-pay-for-2020-elections-arizona-republicans-say-no-more>.

<sup>15</sup> See *e.g.* Arizona Republican Party v. Fontes; Trump v. Hobbs; Ward v. Jackson; Bowyer v. Hobbs; Aguilera v. Fontes (list not exhaustive).



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end-around solutions that can make up for the legislature's continued attempts to undermine this Office. This is particularly clear after the most recent legislative session, a session in which the legislature added new financial challenges for my Office while simultaneously passing a tax cut for the wealthiest people in our state. Arizonans deserve to have a properly-funded government that works for them.

The 2021-2022 general appropriations act prohibits the Attorney General from representing the Secretary's office on "any matter" and prohibits the Secretary from expending funds or incurring indebtedness for outside counsel.<sup>16</sup> This provision was included based on a retaliatory request from the Attorney General's Office.<sup>17</sup> The budget allowed for the Secretary to hire in-house "legal counsel," but provided no funding or infrastructure to support such a position or for the Office to effectively handle all legal needs and litigation in-house. This Office is frequently the defendant in election-related lawsuits and must operate within a complex framework of state and federal laws. It is untenable to expect the agency to operate without an adequately staffed legal department, especially given the prohibition on expending funds or incurring indebtedness for outside counsel. Indeed, no other department in state government is put in this position. Refusal to address this need puts the department, and ultimately the State, at significant risk of legal liability. This budget request includes funding to provide sufficient legal support to my Office.

In 2020, the Office utilized a grant from the Center for Elections Innovation and Research to provide the public information about voting safely during the pandemic. The grant was \$4.75 million and allowed the office to make over 635 million impressions with voters. This outreach was effective – we saw historic voter turnout in the 2020 election, with almost 80% of registered voters voting in the election. While we hope to not still be dealing with the challenges of voting during a pandemic, it's clear that the State must be proactive about educating voters about election processes and security, particularly given the amount of misinformation being propagated in and about Arizona. Unfortunately, the legislature passed a law banning my Office from receiving such a grant in the future. Therefore, this budget request includes \$5 million for voter education ahead of the 2022 Elections.

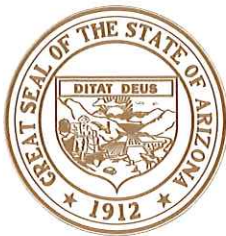
Additionally, this budget request seeks to make the Office more durable for the future. It includes requests for additional staff to keep pace with the increasing public interest for information and transparency, steps to move the State forward regarding the storage of

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<sup>16</sup> See SB 1823 (general appropriations act; 2021-2022). <https://www.azleg.gov/legtext/55leg/1R/laws/0408.pdf>

<sup>17</sup> Duda, J., *supra* note 10.





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digital records, and sustainable, long-term funding for the Address Confidentiality Program.

Though beyond the scope of any single agency's budget request, it bears mentioning that state pay scales and compensation standards are not competitive, trailing woefully behind county and city governments, not to mention the private sector. I see firsthand how it has impacted my Department's ability to recruit and retain staff, who often leave for better paying, less stressful jobs, where they do not face a level of harassment and intimidation that no one should have to deal with in their day-to-day work life. It seems well past time for a review of the state's compensation practices.

If the past year has taught us anything, it's that our workforce is our greatest asset, and that election administration offices are vitally important to our State and to our democracy. The work of this Department has never been more important. Voters will be selecting their next Secretary of State in 2022, and I intend to leave this Office in a condition that will allow my successor to build on what we have accomplished.

Sincerely,

A handwritten signature in blue ink, consisting of stylized initials followed by a long horizontal line.

Katie Hobbs

Arizona Secretary of State